



Fw: EPA access to LABP property
Kelly Manheimer to: Shelley Stevens

12/14/2010 04:21 PM

Regards,
Kelly Manheimer
EPA, Superfund SFD-7-1
415-972-3290

----- Forwarded by Kelly Manheimer/R9/USEPA/US on 12/14/2010 04:21 PM -----

From: Michael Massey/R9/USEPA/US
To: Anita sokolsky <anitasokolsky@yahoo.com>
Cc: Kelly Manheimer/R9/USEPA/US@EPA
Date: 12/06/2010 09:24 AM
Subject: EPA access to LABP property

Anita:

Pursuant to our conversation on Thursday, I am sending this follow up email in order to get a final answer from your client regarding permission for EPA to enter the North Hollywood property owned by Los Angeles By Products (Penrose, Strathern, Newbury landfills) in order to conduct sampling and related activities in support of its efforts to clean up contaminated groundwater in the San Fernando Valley Basin.

Pursuant to an email on October 22, 2010 (and a follow-up letter in hard copy), EPA originally requested that your client conduct the requested sampling on its property. Having not obtained a commitment from your client to do the requested sampling, EPA sent an email on November 16, 2010, requesting that your client provide EPA with access to its property in order to conduct the sampling.

In a November 19, 2010 email you communicated your clients refusal to grant EPA the requested access.

In our telephone call on December 2, 2010, I again explained to you and your client the rationale behind EPA's sampling request and that EPA believes that it has the authority to access and conduct the requested sampling on your client's property pursuant to Section 104(e)(3) of CERCLA and pursuant to the provisions of the 1997 consent decree signed by your client. I also explained EPA's options moving forward, including the authority to issue a unilateral administrative order or seek a warrant for access. At the close of the call your client indicated that it would reconsider the issue over the weekend but that it was still not inclined to provide EPA with the requested access.

Please provide me with your client's final decision regarding EPA's request for access no later than 12:00 pm today.

Thank you.

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